

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LETICIA FRANCINE STIDHUM,

Plaintiff,

-against-

161-10 HILLSIDE AUTO AVE, LLC d/b/a Hillside
Auto Outlet, HILLSIDE AUTO MALL INC. d/b/a
Hillside Auto Mall, ISHAQUE THANWALLA,
JORY BARON, RONALD M. BARON, and
ANDRIS GUZMAN,

Defendants.
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Case No.: 1:21-cv-7163 (HG) (LB)

**SECOND SUPPLEMENTAL
DECLARATION OF
DEANA JENNINGS**

Deana Jennings declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

1. I am the designated corporate representative of Defendants 161-10 Hillside Auto Ave, LLC d/b/a Hillside Auto Outlet (hereinafter "Hillside Auto Outlet") and Hillside Auto Mall Inc. d/b/a Hillside Auto Mall ("Hillside Auto Mall") (Hillside Auto Outlet and Hillside Auto Mall collectively hereinafter the "Corporate Defendants") in the above-referenced case, and have served as a part-time controller for Hillside Auto Outlet during the time Plaintiff worked there and have also served as a controller for Hillside Auto Mall, where I remain employed today.

2. As such, I am familiar with all the facts and circumstances heretofore had herein based upon my personal knowledge and a review of the documents I maintain at Hillside Auto Mall as well as at Hillside Auto Outlet during my tenure there. I submit this declaration to supplement my prior declarations dated May 17, 2023 and May 30, 2023.

Search of Text Messages and Emails

3. As I have previously declared twice, I have conducted a search of my telephone for all text messages related to the Plaintiff or pregnancy discrimination.

4. My search consisted of the following key words using my phone's search function:

(i) pregn*; (ii) sonog*; (iii) expect*; (iv) carry*; (v) "eating for two;" (vi) pea; (vii) bun; (viii) Family; (ix) Leticia; (x) Stidhum; (xi) wom*n; (xii) wife; (xiii) female.

5. When I initially conducted this search, I omitted the wild cards (*) in search terms

(i), (ii), (iii), and (iv), and searched for "women" or "woman" for the search term (xi).

6. None of these key words returned any text messages related to the Plaintiff or pregnancy discrimination.

7. Thus, I am not in possession, custody, or control of any responsive text messages.

8. I also searched my emails and am not in possession, custody, or control of any emails responsive to the requests, i.e., relating to Plaintiff or pregnancy discrimination.

9. My search consisted of the following key words using my email's search function:

(i) pregn*; (ii) sonog*; (iii) expect*; (iv) carry*; (v) "eating for two;" (vi) pea; (vii) bun; (viii) Family; (ix) Leticia; (x) Stidhum; (xi) wom*n; (xii) wife; (xiii) female.

10. None of these key words returned any emails related to the Plaintiff or pregnancy discrimination.

11. Thus, I am not in possession, custody, or control of any responsive emails.

12. As I previously declared, I do not recall exchanging any emails with the Plaintiff, so it makes sense that I did not find any.

13. I conducted the instant search of text messages and emails together with counsel for the Defendants on June 9, 2023.

14. We determined together that none of the texts or emails that came up with the foregoing search words related to Plaintiff nor pregnancy discrimination.

Weekly Sales Logs Search

15. Similarly, I conducted a search for the weekly sales logs of Hillside Auto Outlet and am unable to find them.

16. I previously recalled that we moved those and other records to an outside storage facility due to construction at Hillside Auto Mall.

17. However, upon review, the construction predates the Plaintiff's employment at Hillside Auto Outlet, which indicates that we did not have to move these weekly sales logs to any outside storage facility.

18. Further, as I previously declared, I searched that outside storage facility for these records on May 9, 2023 after I could not find them at both dealerships, i.e., Hillside Auto Outlet and Hillside Auto Mall.

19. I was unable to find the records at either dealership nor at the outside storage facility, except I am aware that Defendant Ishaque Thanwalla found some 2019 weekly sales logs at Hillside Auto Outlet's on-site storage facility upon another search at that dealership.

20. While I am uncertain as to where the May 2018 to January 2019 weekly sales logs may be stored and have no knowledge nor recollection as to where they are kept, I conducted another search in the following places where I keep records.

21. My most recent search took approximately six (6) hours.

22. Specifically, there are two offices at Hillside Auto Mall where records are kept.

23. The first office has about seven boxes consisting of 2022 deal jackets for cars sold in 2022.

24. I searched this office and all the boxes within it for the weekly sales logs of Hillside Auto Outlet and did not find any.

25. The second office has about four boxes consisted of 2023 deal jackets for cars sold in 2023 year to date. I searched this office and all the boxes within it for the weekly sales logs of Hillside Auto Outlet and did not find any.

26. In addition, we have a storage area on-site at Hillside Auto Mall.

27. Specifically, there is a space under the stairs leading up to our office where we kept records stored in boxes until we moved same to an outside storage facility due to construction being done at Hillside Auto Mall from approximately September 2017 through February 2018, which predates Plaintiff's employment with Hillside Auto Outlet that started in May 2018.

28. At the time I conducted a search, there were no boxes or documents in the on-site storage area.

29. I also conducted a thorough search of our off-site storage facility, where we have two rooms that are approximately 10' x 10' each.

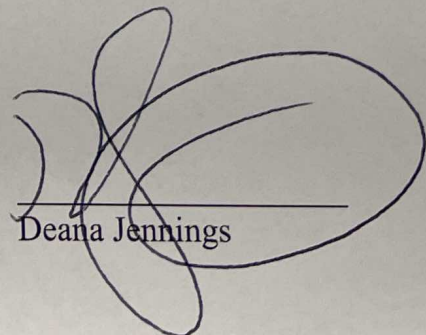
30. The first room in the off-site storage facility has two filing cabinets, four cabinet drawers, and approximately fifty boxes.

31. The second room in the off-site storage facility has three filing cabinets and approximately sixty boxes.

32. On June 6, 2023, I conducted another search of the off-site storage facility.

33. With the help of another employee, I searched every box, filing cabinet, and cabinet drawer, but we did not find any weekly sales logs from May 2018 through January 2019.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 19, 2023.



Deana Jennings